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APPLICATION NO	D. 1	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/533,233	0/533,233 04/29/2005		Mario Gioni Chiocchetti	6524/PCT	7053	
6858	7590	08/02/2006		EXAMINER		
		NER, L.L.C.	ACKUN, JACOB K			
P.O. BOX 19290 ALEXANDRIA, VA 22320-0290				ART UNIT	PAPER NUMBER	
				3723		
			DATE MAILED: 08/02/2006			

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	A (*)					
	Application No.	Applicant(s)					
Office Action Summary	10/533,233	CHIOCCHETTI ET AL.					
omee Action Summary	Examiner	Art Unit					
	Jacob K. Ackun Jr.	3723					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
1) Responsive to communication(s) filed on 10 M	av 2006.						
	action is non-final.						
/	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
4) Claim(s) 1-42 is/are pending in the application.							
4a) Of the above claim(s) is/are withdrawn from consideration.							
5) Claim(s) is/are allowed.							
6)⊠ Claim(s) <u>1-42</u> is/are rejected.							
7) Claim(s) is/are objected to.	·						
8) Claim(s) are subject to restriction and/or	election requirement						
	cicción requirement.						
Application Papers							
9)☐ The specification is objected to by the Examiner.							
10) The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.							
Applicant may not request that any objection to the	drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correct	on is required if the drawing(s) is obj	ected to. See 37 CFR 1.121(d).					
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 							
Attachment(s)	_						
1) Notice of References Cited (PTO-892)	4) Interview Summary						
2)	Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	atent Application (PTO-152)					

Application/Control Number: 10/533,233

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The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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- 2. Claims 1-42 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are indefinite because they are unduly multiplied. See appropriate sections of the MPEP including 2173.05(n). The applicant is required to present a reasonable number of claims for examination. In this case no more than 5 independent claims and 30 total claims is considered reasonable. Claim 21 is indefinite because it does not read properly when combined with every single limitation in claim 1 to which it refers. It is noted that claim 21 is an independent claim in spite of the form in which it is drafted.
- 3. Applicant is advised as to the disposition of the claims in the first office action. In that action, claims 1-3, 6, 8-9, 21-24, 26 and 27 were rejected on the merits. Claims 4-5, 7, 10-20 and 25 were objected to as dependent on rejected claims, therefore considered allowable if re-written in dependent form to include all of the limitations of the base and any intervening claims.
- 4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob K. Ackun Jr. whose telephone number is (571)272-4418. The examiner can normally be reached on Monday through Friday 8.30AM-5.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on (571)272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jacob K. Ackun Jr. Primary Examiner Art Unit 3723

J.A.